

## REMARKS

In the application claims 45-81 remain pending. Claims 1-44 have been canceled without prejudice. Claims 45-81 are directed to the elected Group I in accordance with the restriction requirement of March 18, 2004. Support for pending claims 45-81 is found in the specification, claims, and figures originally filed and, as such, no new matter has been added.

It is respectfully requested that the rejections set forth in the Office Action be reconsidered in light of the arguments presented below.

In the Office Action, originally filed claims 1-15 and 29-33 were rejected under 35 U.S.C. § 103 as being rendered obvious by Wharton (U.S. Patent No. 5,831,664) as modified by Treyz (U.S. Patent No. 6,587,835). While the Office Action acknowledged that Wharton fails to disclose, teach, or suggest a base station adapted to receive communications from a wireless controller including data to be printed and a printer coupled to the base station for use in creating a print output based on the data to be printed, the Office Action asserted that such was disclosed by Treyz, citing to (Figs. 1-2, 4, 6, 18-19, 21, 92, 99, 100, 107, and 116; Col. 9, line 56-Col. 12, line 55; Col. 15, line 3-Col. 16, line 55; Col. 23, lines 26-Col. 24, line 53; and Col. 53, line 45-Col. 54, line 22). Thus, the Office Action concluded that it would have been obvious to modify Wharton using the disclosure of Treyz “for printing the display data or coupon from the hand-held wireless device for providing more user friendly the hand-held wireless device.”

In response to this rejection of the claims, it is respectfully submitted that a rejection under 35 U.S.C. § 103, like a rejection under 35 U.S.C. § 102, requires that a combination of prior art references disclose each and every element set forth in a claim under consideration. In this regard, each word of a claim must be considered when determining if a claim is anticipated or rendered obvious. Since the cited references, whether considered alone or in combination,

cannot be said to disclose, teach, or suggest each and every element as now set forth in the claims, it is submitted that the rejection under 35 U.S.C. § 103 must be withdrawn.

That Wharton fails to disclose, teach, or suggest the claimed base station for receiving data to be printed has been acknowledged in the Office Action. It is additionally submitted that, since Wharton fails to disclose, teach, or suggest the claimed base station for receiving data to be printed, Wharton also cannot be said to disclose, teach, or suggest the claimed system including a base station that receives data to be printed and which *also* receives data for routing to a gateway device such as a set-top box (*see* rejection of original claim 9). For this same reason Wharton cannot be said to disclose, teach, or suggest the claimed base station that receives data to be printed and which *also* serves as a gateway device (*see* rejection of original claim 11).

It is likewise submitted that a careful review of Treyz has failed to uncover where Treyz can be said to disclose, teach, or suggest the claimed system including a base station that receives a hand-held wireless controller, the base station and wireless controller having cooperating contacts for use in transmitting communications from the wireless controller to the base station, and a printer coupled to the base station or the claimed system having a base station that receives data to be printed with the base station *also* being adapted to recharge the power source of the wireless hand-held controller (*see* rejection of original claims 5-7). It is additionally submitted that a careful review of Treyz has failed to uncover where Treyz can be said to disclose, among other things, the claimed system wherein the printer is integral with the base station.

Turning to Treyz, Treyz discloses a system wherein a hand-held computing device (12) is useable to communicate with an in-home electronic device (28). The in-home electronic device (28) may be used to create shopping lists, placing of orders, etc. The shopping list created at the home electronic device (28) may then be transmitted from the home electronic device (28) for

pick-up at a grocery store or it may be transferred to the hand-held computing device (12) where it is displayable. (Col. 10, lines 25-33; Col. 11, lines 12-23). If the user desires to print anything directly from the hand-held computing device (12), the user is required to attach a non-descript printer to the hand-held computing device. (Col. 15, lines 49-62; Col. 16, lines 37-55). Thus, within these passages of Treyz a base station that is adapted to couple with a hand-held wireless controller to receive data to be printed or a base station having the ability to route data to either a printer or gateway device, among other things, is never described, taught, or suggested.

Treyz further describes that the hand-held computing device (12) may be utilized in connection with a base station (250) *that is provided for use as a reference point in a GPS system.* (Col. 23, lines 37-55). The hand-held computing device (12) may be placed into communication with the base station (250) to thereby allow the location of the hand-held computing device (12) to be determined. (Col. 23, line 37- Col. 24, line 17). The base station described in these passages of Treyz does not, however, couple with the hand-held wireless controller to receive data to be printed or have the ability to route data to either a printer or a gateway device.

From the foregoing, it is respectfully submitted that Wharton and Treyz, whether considered alone or in combination, fail to disclose, teach, or suggest each and every element, considering each and every word, that is set forth in the claims now presented. For this reason, it is respectfully submitted that the outstanding rejection under 35 U.S.C. § 103 must be withdrawn and the claims allowed to pass to issuance.

CONCLUSION

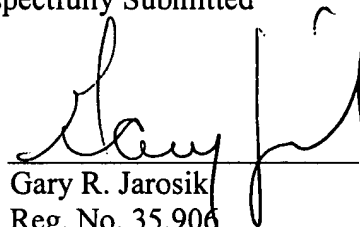
The subject application is considered to be in condition for allowance. Such action on the part of the Examiner is respectfully requested. Should it be determined, however, that a telephone conference would expedite the prosecution of the subject application, the Examiner is respectfully requested to contact the attorney undersigned.

While it is not believed that any fee is due, the Commissioner is hereby authorized to charge any fee deficiency to deposit account number 50-2428 in the name of Greenberg Traurig.

Respectfully Submitted

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By:

  
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